

REMARKS

Claims 1-15 are pending in the application. Various claims have been amended including independent claims 1, 7, and 13-15. Support for the claim amendments may be found in the application at least at paragraphs [0039, 0056, and 0065], and Figs. 6 and 8. A Request for Continued Examination (RCE) is being submitted herewith to obtain entry and consideration of the claim amendments. Favorable reconsideration of the application is respectfully requested in view of the claim amendments and following remarks.

I. Claims Rejections – 35 U.S.C. § 102(b)

A. Overview of the Current Claim Amendments

As described in response to the previous Office Action, Applicants' invention pertains to a system that enables a client device to perform a special playback of movie data (e.g., fast forward, fast reverse) while the movie data simultaneously is being streamed from and recorded in a server device. The claimed invention provides for updating "management information", which includes information needed to make a special playback. (See Application at paragraph [0053], [0067-0069].)

The current claim amendments pertain to the following aspects of the invention:

- (i) the server device continues to update the management information while recording the movie;
- (ii) newest management information that is being updated by the server includes a first piece of the management information that has already been transmitted to the client device and a second piece of the management information that has not been transmitted to the client device; and
- (iii) if the request to transmit the data unit has been received after the first piece of the management information was transmitted, the server sends at least the second piece of the management information with the data unit.

The reference cited by the Examiner does not disclose or suggest the features pertaining to the current claim amendments.

B. Deficiencies of Ellis

Claims 1-15 stand rejected pursuant to 35 U.S.C. § 102(e) as being anticipated by Ellis et al., U.S. Patent Application Publication No. 2002/0174430 (Ellis). Ellis was applied in the previous Office Action. Ellis does not disclose or suggest the above features (i) to (iii) recited in the amended claims.

Referring to Ellis, the Examiner equates the "skip to next marker time stamp 0:12:57" to at least a newest management information (which is recited in the amended claims as including "a second piece of the management information"). (See Office Action at page 3, last paragraph.) Applicants dispute this interpretation of Ellis.

In the system of Ellis, markers are placed **by the user for saved programs via an editing process**. (See Ellis at paragraph [0370] and Fig. 58, reference numeral 9554; paragraph [0375] and Fig. 59.) Ellis does not disclose or suggest to make a streaming playback of a movie that is being recorded by the server device as referred to, for example, in paragraph [0057] of the current application and recited in the amended claims. Accordingly, Ellis' interactive television application does not continue to update the management information (e.g., "skip to next marker time stamp 0:12:57" referenced by the Examiner) while recording the movie as well as to transmit the updated part of the management information (i.e., a claimed second piece of the management information).

In view of the above, Ellis does not disclose or suggest features recited in each of amended independent claims 1, 7, and 13-15. Accordingly, Ellis does not anticipate the independent claims, and the dependent claims are patentable for at least the same reasons. The rejections, therefore, should be withdrawn.

II. Conclusion

Accordingly, claims 1-15 are allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988, Docket No. OKUDP0171US.

Respectfully submitted,

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